1 2 3 4 5 UNITED STATES DISTRICT COURT 6 7 EASTERN DISTRICT OF WASHINGTON FRED CHISOM, 8 9 Plaintiff, NO. CV-05-5022-MWL 10 v. ORDER ADOPTING REPORT AND RECOMMENDATION TO DISMISS 11 PLAINTIFF'S FIRST AMENDED SGT. GRAHAM, C/O DUNLEAVY, COMPLAINT WITH PREJUDICE 12 and WASHINGTON STATE PRISON, 13 Defendants. 14 15 Magistrate Judge Leavitt filed a Report and Recommendation on June 8, 2005, recommending that Plaintiff's First Amended 16 17 Complaint (Ct. Rec. 22) be DISMISSED with prejudice. (Ct. Rec. 18 23.) The deadline for filing objections has passed and no objections have been filed. On June 13, 2005, Plaintiff filed a 19 Motion to Amend Complaint to Correct Deficiencies (Ct. Rec. 24). 20 21 In his motion Plaintiff restates the same arguments articulated in the First Amended Complaint. 22 Having reviewed the report and considering that no objections 23 24 were filed, the report is ADOPTED in its entirety and IT IS 25 ORDERED that Plaintiff's First Amended Complaint (Ct. Rec. 22) is DISMISSED with prejudice. 26 27 /// 2.8 ORDER ADOPTING REPORT AND RECOMMENDATION TO DISMISS PLAINTIFF'S FIRST

AMENDED COMPLAINT WITH PREJUDICE - 1

IT IS SO ORDERED. The District Court Executive shall forward a copy of this Order to the parties, enter judgment and CLOSE the file. DATED this 20th day of June, 2005. s/Lonny R. Suko LONNY R. SUKO United States District Judge 

ORDER ADOPTING REPORT AND RECOMMENDATION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT WITH PREJUDICE - 2